IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Crl.MC.No. 1401 of 2007

CC.166/2001 OF JUDL.MAGISTRATE OF FIRST CLASS, PARAVUR.
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PETITIONER/12TH ACCUSED:

A.K.HAMSA, AGED 52 YEARS, S/O.KHADER,
AMBALAKULATH VEEDU, PERINGANDOOR P.O.,
PERINGANDOOR VILLAGE, MUNDATHIKODU PANCHAYATH,
THRISSUR.

BY ADV. SRI.ELDHO PAUL.

RESPONDENTS/COMPLAINANT:
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1. **STATE OF KERALA, REPRESENTED BY**
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM, KOCHI-31.

2. **SUB INSPECTOR OF POLICE,**
   VADAKKEKARA POLICE STATION,
   VADAKKEKARA P.O.

BY PUBLIC PROSECUTOR SRI. BENJAMIN PAUL.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27/04/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

Crl.M.C. NO.1401 OF 2007.

DATED THIS THE 27th DAY OF APRIL, 2007.

ORDER

Petitioner who is the accused in CC.No.166 of 2001 on the file of the Judicial First Class Magistrate's Court, Paravoor with respect to the offences under Section 143, 148, 452, 427 r/w. 149 of IPC has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. It was submitted that he could not appear before the court as he had gone to Karnataka in search of a job.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself. The Crl.M.C. is disposed of accordingly.

K.R.UDAYABHANU.
JUDGE.

kvs/-